

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CHAPTER 7

In re:

**MICHELE LEIGH BOYLES
And DAVID LEE BOYLES**

BANKRUPTCY NO. 23-13585 (MDC)

Honorable Ashely M. Chan

Debtors.

CONSENT MOTION TO WITHDRAW DEBTORS' BRIEF IN OPPOSITION

Michele Leigh Boyles and David Lee Boyles (collectively, “Debtors” or “Movants”), respectfully move the Court to withdraw their *Brief in Opposition to Motion of Christine C. Shubert, Chapter 7 Trustee, For Entry Of An Order (I) Authorizing the Sale of Residential Real Property Located at 720 West Mount Vernon Street, Landsdale, PA 19446 [TAX ID: 11-00-11352-004] Free and Clear Of All Liens, Claims and Encumbrances Pursuant To 11 U.S.C. § 363, (II) Authorizing The Compensation Of Real Estate Brokers Pursuant To 11 U.S.C. § 330 And (III) Granting The Request For a Waiver Of 14 Day Stay Pursuant to Fed. R. Bankr.P. 6004*, (“*Response in Opposition*”) filed on June 24, 2024, without prejudice. See Debtors’ Objection and Amended Document. (ECF No. 64 & 65).

On June 10, 2024, Trustee filed a Motion to Sell Property Free and Clear of Liens under Section 363(f). (ECF 62). Counsel for Debtors filed a response to the June 10, 2024 Motion on June 24, 2024. (ECF 64 & 65).

On June 25, 2024, Attorney Robert Seitzer (“Counsel for Trustee”), and Attorney for Debtors, the herein undersigned counsel, conferred as to some of the legal interpretations

contained within the *Response in Opposition*. After conferring with Attorney Seitzer, the undersigned counsel agreed that the *Response in Opposition* would either be amended or withdrawn in good faith. Upon information and belief, Counsel for Trustee is unopposed to Debtors withdrawing the *Response in Opposition*. Currently, pending before the court is a *Motion for Trustee to Abandon the Real Estate* (ECF 46), and is scheduled to be heard on or around July 24, 2024.

Debtors respectfully request that they may file a renewed response *to the Motion of Christine C. Shubert, Chapter 7 Trustee, For Entry Of An Order (I) Authorizing the Sale of Residential Real Property Located at 720 West Mount Vernon Street, Landsdale, PA 19446 [TAX ID: 11-00-11352-004] Free and Clear Of All Liens, Claims and Encumbrances Pursuant To 11 U.S.C. § 363, (II) Authorizing The Compensation Of Real Estate Brokers Pursuant To 11 U.S.C. § 330 And (III) Granting The Request For a Waiver Of 14 Day Stay Pursuant to Fed. R. Bankr.P. 6004, (“Response in Opposition”)* on or before July 5, 2024.

RESPECTFULLY SUBMITTED,

LAW OFFICES OF WALTER A. BERNARD

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Dated July 2, 2024